



PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of  
Arthur W. Chester et al.

Date: June 7, 2004

Group Art Unit: 1764

Serial No. 09/468,450

Examiner: Griffin, W.

Filed: December 21, 1999

Docket No.: 10208-1

For:

"A Catalytic Cracking Process Using A  
Modified Mesoporous Aluminophosphate  
Material"

(1) REQUEST TO RECONSIDER NOTICE OF DRAWING INCONSISTENCY  
AND  
(2) PROVISIONAL AMENDMENT

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir/Madam:

This is in reply to the Form PTO-1631 "Notice of Drawing Inconsistency With Specification" mailed on May 10, 2004 (hereafter referred to as "Notice"). Applicants' respectfully request reconsideration of the basis on which the Notice is made.

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8**

Pursuant to 37 CFR §1.8, I hereby certify that I have a reasonable basis to expect that this correspondence will be deposited with the United States Postal Service on or before the date indicated, as First Class mail, in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

June 7, 2004  
Date

Debra P. Farney  
Signature

(1) RECONSIDERATION OF PTO FORM-1631

Specifically, it is stated in the Notice that Fig. 1 is not listed in the "Brief Description of the Drawings" in the specification. It is respectfully submitted that the Notice is in error because the patent application does not contain a "Brief Description of the Drawings". Therefore, it is respectfully submitted that there cannot be an inconsistency.

Indeed, page 18, line 13, of the allowed Specification describes Fig. 1, and it is respectfully submitted that Fig. 1 is consistent with respect to that description.

Withdrawal of the Notice is therefore requested.

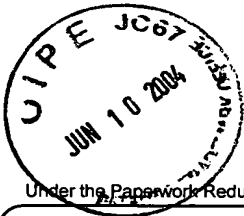
(2) PROVISIONAL AMENDMENT

To the extent the Patent Office is requiring amendment of the above-mentioned patent application to include a "Brief Description of the Drawing", Applicants respectfully request the application be amended as indicated on the following page 3.

Please add the following new paragraph after page 2, line 33 of the specification:

**BRIEF DESCRIPTION OF DRAWING**

Fig. 1 illustrates average pore size and pore size distribution for compositions according to the invention (Examples A, B and C of Example 8) in comparison to alternative compositions (Examples D and E of Example 8).



PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number

09/468,450

Filing Date

December 21, 1999

First Named Inventor

Arthur W. Chester

Group Art Unit

1764

Examiner Name

Griffin, W.

Total Number of Pages in This Submission 4

Attorney Docket Number

10208-1

## ENCLOSURES (check all that apply)

☐ Fee Transmittal Form☐ Fee Attached☐ Amendment / Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Response to Missing Parts/  
Incomplete Application☐ Response to Missing Parts  
under 37 CFR 1.52 or 1.53☐ Assignment Papers  
(for an Application)☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a  
Provisional Application☐ Power of Attorney, Revocation  
Change of Correspondence  
Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) \_\_\_\_\_☐ After Allowance Communication  
to Group☐ Appeal Communication to Board  
of Appeals and Interferences☐ Appeal Communication to Group  
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s) (please  
identify below):

Request to Reconsider PTO Form 1631

(Drawing Inconsistency Notice) and

Provisional Amendment; and Return Receipt

Postal Card for W9484-01/10208-1.

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm  
or  
Individual name

Signature

Date

Charles A. Gross

June 7, 2004

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature

Typed or printed name

Debra P. Darcey

Date

June 7, 2004